

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

GREG MANCO

Plaintiff,

v.

UNIVERSITY OF THE SCIENCES-
PHILADELPHIA, et al.

Defendants.

Civil Action No. 04-6002 (JBS)

ORDER

THIS MATTER came before the Court upon defendants' motions to dismiss; and

Plaintiff, Greg Manco, having requested an adequate opportunity to obtain discovery under Rule 56(f), Fed. R. Civ. P., with respect to matters outside the pleadings (see Fed. R. Civ. P. 56(f) Aff. of Joseph M. Toddy, Esquire); and

The Court will permit such discovery with respect to the copyright infringement claim only, particularly pertaining to the legal and financial relationship between the defendant University and the book store, the authenticity of the invoice, and the relationship between the bookstore and ProQuest. Such discovery shall be expedited and may be conducted through requests for production of documents or depositions, or both. The period for concluding such discovery extends through June 3, 2005.

Discovery remains stayed regarding matters related primarily to

the claims arising under state law set forth in Counts 2 through 10 of the Complaint.

IT IS, this 18th day of April, 2005, hereby

ORDERED that defendants' motions to dismiss shall be CONTINUED pending completion of expedited discovery within the above scope; and

IT IS FURTHER ORDERED that such preliminary discovery shall be concluded before June 3, 2005; and

IT IS FURTHER ORDERED that plaintiff's supplemental brief in opposition to the dismissal motions shall be due June 17, 2005 and that any response thereto by defendants shall be due June 27, 2005.

s/ Jerome B. Simandle
JEROME B. SIMANDLE
U.S. District Judge